

IN RE: PETITION FOR SPECIAL HEARING  
S/S Hess Road, 1270' E of  
Hutchins Mill Road  
(3711 Hess Road); and  
N/S Hess Road, 1670' E of  
Hutchins Mill Road  
(3722 Hess Road)  
10th Election District  
3rd Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-370-SPH

Estate of Alexander B. Griswold  
and H. Thorne Gould, et ux - Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject properties, Benjamin H. Griswold, III and Andre W. Brewster as Personal Representatives for the Estate of Alexander B. Griswold, owner of 3711 Hess Road, and H. Thorne Gould and his wife, Hanna B. Gould, owners of 3722 Hess Road. The Petitioners request approval and confirmation of the lawful existence of one density unit on the property known as 3711 Hess Road and one density unit remaining on the property known as 3722 Hess Road, in accordance with Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John Trueschler and Stanard Klinefelter, Attorneys at Law for the Petitioners. Also appearing on behalf of the Petition were William Fred Walker, IV, President of Nehemiah Enterprises, who prepared the site plan, and Joel Leininger, a Registered Property Line Surveyor and Partner of S.J. Martinek, Surveyors. There were no Protestants.

Testimony indicated that the property known as 3711 Hess Road, consists of 2.1 acres, zoned R.C. 2, and is improved with a single family dwelling which was built in 1949. The property known as 3722 Hess Road, consists of 13.60 acres, zoned R.C. 2 and is improved with a single family

dwelling and various outbuildings. This property is also known as the Breezewood Estate. The history of the subject property dates back to 1947 at which time it contained 82.143 acres total and was owned exclusively by Alexander Brown Griswold. Over the years, the property was subdivided and sold off. Today, the remainder of the Estate of Alexander B. Griswold contains a net area of 2.1 acres. Testimony indicated that the Goulds purchased 13.60 acres from the original tract in August 1992. Petitioners filed the instant Petition to affirm that the Estate of Alexander B. Griswold holds 2.1 acres of the original tract and enjoys one density unit as a result of the existing dwelling, and that the 13.60 acre parcel, known as 3722 Hess Road, also enjoys one density unit. As a result of the existing dwelling on this property, the one density unit associated with this parcel has been utilized. The Petitioners request approval of the two parcels as two separate properties.

Based on the testimony presented at the hearing, I am satisfied that both of the subject parcels identified above enjoy one density unit each and I shall so order. It should be noted that as a result of the existing dwelling on both parcels, the one density unit associated with each parcel has been utilized.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21<sup>st</sup> day of June, 1993 that the Petition for Special Hearing requesting approval and confirmation of the lawful existence of one density unit on the property known as 3711 Hess Road and one density unit remaining on the property known as 3722 Hess Road, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Within sixty (60) days of the date of this Order, the Petitioners shall have new deeds recorded in the Land Records of Baltimore County which identify the two subject properties as two separate and distinct parcels of land. Said deed shall also reference this case and the terms and conditions herein. A copy of the recorded deeds shall be forwarded to the Zoning Administration Office for inclusion in the case file prior to the issuance of any permits.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 6/21/93  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 21, 1993

(410) 887-4396

John G. Trueschler, Esquire  
Stanard Klinefelter, Esquire  
40 W. Chesapeake Avenue, Suite 600  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
S/S Hess Road, 1270' E of Hutchins Mill Road  
(3711 Hess Road); and  
N/S Hess Road, 1670' E of Hutchins Mill Road  
(3722 Hess Road)  
10th Election District - 3rd Councilmanic District  
Estate of Alexander B. Griswold, and  
H. Thorne Gould, et ux - Petitioners  
Case No. 93-370-SPH

Dear Messrs. Trueschler and Klinefelter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. H. Thorne Gould  
3722 Hess Road, Monkton, Md. 21111

People's Counsel

File

## Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 3711 Hess Road and 3722 Hess Road  
which is presently zoned RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 800.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

and confirm the lawful existence of one density unit on the parcel known as 3711 Hess Road and one density unit remaining on the parcel known as 3722 Hess Road.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

See Page 2 of 2 for Owners of 3711 Hess Road

With an affidavit declare and affirm, under the penalties of perjury, that you are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): of 3722 Hess Road

H. Thorne Gould

Hanna B. Gould

3722 Hess Road

Monkton, Maryland 21111

AS SHOWN ON THIS FORM AND

ATTACHED

40 West Chesapeake Avenue, Ste 600

Towson, Maryland 21204

## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3711 Hess Road and 3722 Hess Road  
which is presently zoned RC 2

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of 3711 Hess Road, Monkton, Maryland 21111.

BY: Benjamin H. Griswold, III and  
Andre W. Brewster, Personal  
Representatives of the Estate  
of Alexander Brown Griswold

Benjamin H. Griswold, III  
135 E. Baltimore Street  
Baltimore, Maryland 21201  
661-8660

Andre W. Brewster  
Piper & Marbury  
36 South Charles Street  
Baltimore, Maryland 21201  
638-5630

Contact:  
Sandra Ball  
Piper & Marbury  
676-1815

LAND SURVEYORS  
S. J. MARTENET & COMPANY, INC.

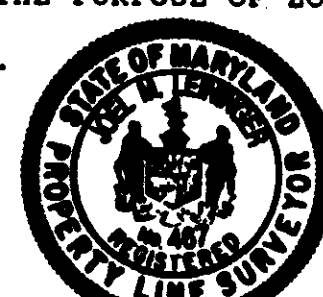
ESTABLISHED 1848  
180 WEST OSTEND STREET  
BALTIMORE, MARYLAND 21230  
(410) 538-4283

DESCRIPTION  
TO ACCOMPANY PETITION FOR  
SPECIAL HEARING  
TENTH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND  
3711 HESS ROAD

Beginning for the same in the center of Hess Road at a point distant 1,270 feet easterly from the intersection of the center of Hutchins Mill Road and the center of Hess Road, and running thence binding on the center of Hess Road, the two following courses and distances, viz:

- (1) South 86 degrees 45 minutes East 62.00 feet, and
- (2) South 85 degrees 30 minutes East 43.00 feet, thence leaving center of Hess Road and running the three following courses and distances, viz:
- (3) South 09 degrees 45 minutes West 709.5 feet,
- (4) North 73 degrees West 162.00 feet, and
- (5) North 14 degrees 29 minutes 40 seconds East 680.43 feet to the point of beginning; containing 2.1 acres of land, more or less.

THIS DESCRIPTION WAS PREPARED FROM DEEDS OF RECORD AND OTHER TITLE SOURCES FOR THE PURPOSE OF ZONING ONLY AND IS NOT THE RESULT OF A FIELD SURVEY.



LAND SURVEYORS  
S. J. MARTENET & COMPANY, INC.

ESTABLISHED 1848  
180 WEST OSTEND STREET  
BALTIMORE, MARYLAND 21230  
(410) 538-4283

DESCRIPTION  
TO ACCOMPANY PETITION FOR  
SPECIAL HEARING  
TENTH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND  
3722 HESS ROAD

Beginning for the same in the center of Hess Road at a point distant 1,670 feet easterly from the intersection of the center of Hutchins Mill Road and the center of Hess Road, and running thence binding on the center of Hess Road

- (1) North 82 degrees 03 minutes West 250.4 feet, thence leaving the center of Hess Road and running the seven following courses and distances, viz:
- (2) North 02 degrees East 1,113.75 feet,
- (3) North 18 degrees 22 minutes West 141.05 feet,
- (4) South 60 degrees 48 minutes 30 seconds East 143.49 feet,
- (5) South 27 degrees 47 minutes 45 seconds East 180.97 feet,
- (6) South 79 degrees 44 minutes 45 seconds East 615.65 feet,
- (7) South 16 degrees 31 minutes 45 seconds West 269.11 feet, and
- (8) South 35 degrees 20 minutes 30 seconds West 839.36 feet to the point of beginning; containing 13.6 acres of land, more or less.

THIS DESCRIPTION WAS PREPARED FROM DEEDS OF RECORD AND OTHER TITLE SOURCES FOR THE PURPOSE OF ZONING ONLY AND IS NOT THE RESULT OF A FIELD SURVEY.

*[Signature]*

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 104 Date of Posting: 5/14/93  
Posted for: Special Hearing  
Petitioner: Benjamin H. Griswold III and Andrea W. Brewster  
Location of property: 3711 Hess Rd., 1270' E of Hutchins Hill Rd.  
Location of Sign: 3711 Hess Rd. at entrance to property  
Remarks: \_\_\_\_\_  
Posted by: M. J. Jablon Date of return: 5/14/93  
Number of Signs: 1

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 104 Date of Posting: 5/14/93  
Posted for: Special Hearing  
Petitioner: H. Thorne Gould, et ux  
Location of property: 3722 Hess Rd. (N.E.) 1670' E of Hutchins Hill Rd.  
Location of Sign: 3722 Hess Rd. at entrance to property  
Remarks: \_\_\_\_\_  
Posted by: M. J. Jablon Date of return: 5/14/93  
Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 5/14 1993  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/14 1993

THE JEFFERSONIAN,

S. Zate Orlov  
Publisher

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204  
**93-370-SPH** (410) 887-3353  
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 377  
Petitioner: BENJAMIN H. GRISWOLD III AND ANDREA W. BREWSTER  
Location: 3711 and 3722 Hess Road  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: NEHEMIAH ENTERPRISES INC  
ADDRESS: 40 WEST CHESAPEAKE AVE SUITE 600  
TOWSON MARYLAND 21204  
PHONE NUMBER: (410) 821-0351

AJ:ggg

(Revised 04/09/93)

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204  
APRIL 30, 1993  
(410) 887-3353

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 46. Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-370-SPH (Item 377)  
3711 Hess Road - S/S Hess Road, 1270' E of Hutchins Hill Road  
3722 Hess Road - S/S Hess Road, 1670' E of Hutchins Hill Road  
(10th Election District - 3rd Councilmanic)  
Legal Owner(s): 3711 Hess Road - Benjamin H. Griswold, III and Andrea W. Brewster,  
Personal Representatives of the Estate of Alexander Brown Griswold  
Legal Owner(s): 3722 Hess Road - H. Thorne Gould and Maria B. Gould  
HEARING: TUESDAY, JUNE 1, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve and confirm the lawful existence of one density unit on the parcel known as 3711 Hess Road and one density unit remaining on the parcel known as 3722 Hess Road.

Arnold Jablon  
Director

cc: Benjamin H. Griswold, III  
Andrea W. Brewster, c/o Andrea Bell/Piper & Marbury  
H. Thorne Gould and Maria B. Gould  
John G. Trueschler, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date 4/20/93

PETITION FILING  
RES. SPECIAL HEARING CODE 030 50.00  
(2) SIGNS POSTED CODE 080 70.00  
TOTAL \$120.00

OWNERS: GOULD, GRISWOLD, BREWSTER  
PROP LOCATION 3711 and 3722 Hess Rd.

314018000021010000 \$120.00  
SA 00031296004-20-93  
Please Make Checks Payable To: Baltimore County

Cashier Validation

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Helene Kehring  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
Bob Small  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is \_\_\_\_\_  
Telecommunications for Impaired Hearing or Speech  
363-7555 Baltimore Metro - 555-5451 D.C. Metro - 1-800-425-5052 Statewide Toll Free  
767 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

DATE: May 5, 1993

SUBJECT: 3711 Hess Road and 3722 Hess Road

**INFORMATION:**

Item Number: 377  
Petitioner: H. Thorne Gould  
Property Size: \_\_\_\_\_  
Zoning: R.C. 2  
Requested Action: \_\_\_\_\_  
Hearing Date: 1/1

**SUMMARY OF RECOMMENDATIONS:**

In reference to the subject request, staff has met with the applicant's attorney, Mr. John G. Trueschler. Based upon the information provided and analysis conducted, staff offers the following comments:

A review of the plan indicates that each dwelling has its own driveway and private utilities. The existing homes are to remain as is, with no improvements to be made to either house.

Without the benefit of the plat accompanying the Petition and associated documents, it would appear to the casual observer that the subject property is actually two separate properties.

This office can well imagine the title difficulties unique to the subject property and can find no reason why these properties cannot be confirmed as having one density unit each. Therefore, the Office of Planning and Zoning supports the applicant's request provided that a note be placed on the plan indicating that no further density related subdivision take place on either property at any future time.

Prepared by: Jeffery M. L.  
Division Chief: Carol L. Klein  
PK/JL:lw

377, ZAC/ZAC1

Pg. 1

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee  
Captain Jerry Pfeifer  
Fire Department  
FROM: \_\_\_\_\_  
Comments for 05/10/93 Meeting

Item 374	Townhouses for which the initial building permit is applied for after 07/01/92 shall be sprinklered.
Item 375	No Comments
Item 376	No Comments
Item 377	No Comments
Item 378	No Comments
Item 379	No Comments
Item 380	No Comments
Item 381	No Comments
Item 382	No Comments
Item 383	No Comments
Item 384	No Comments
Item 385	No Comments

RECEIVED  
MAY 4 1993  
ZADM



## BALTIMORE COUNTY, MARYLAND

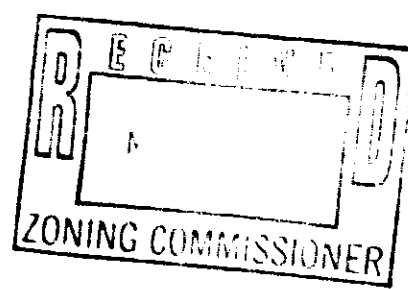
## INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

DATE: May 25, 1993

SUBJECT: 3711 Hess Road and 3722 Hess Road Amended Comment



## INFORMATION:

Item Number: 377

Petitioner: H. Thorne Gould

Property Size:

Zoning: R.C. 2

Requested Action:

Hearing Date:

## SUMMARY OF RECOMMENDATIONS:

In reference to the subject request, staff has met with the applicant's attorney, Mr. John G. Trueschler. Based upon the information provided and analysis conducted, staff offers the following comments:

This office can well imagine the title difficulties unique to the subject property and can find no reason why these properties cannot be confirmed as having one density unit each. Therefore, the Office of Planning and Zoning supports the applicant's request provided that a note be placed on the plan indicating that no further density related subdivision take place on either property at any future time.

Prepared by: *Jeffrey M. Long*

Division Chief: *John G. Trueschler*

PK/JL:lw

777-2AC/2AC1

Pg. 1

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

## INTER-OFFICE CORRESPONDENCE

May 20, 1993

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: J. Lawrence Pilson, Jr.  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #377 Gould Property  
3711 & 3722 Hess Road  
Zoning Advisory Committee Meeting of May 3, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:sp

GOULD/TXTS8P

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

August 13, 1992

(410) 887-3353

John G. Trueschler  
Nehemiah Enterprises, Inc.  
40 West Chesapeake Avenue  
Suite 600  
Baltimore, MD 21204

RE: R.C.-2 Density Determination  
3711 & 3722 Hess Road

Dear Mr. Trueschler:

In order to respond to your July 29, 1992 letter, this office reviewed the information you submitted, as well as the Zoning Regulations as amended by Bill #199-90 and opinions written by the Circuit Court (#89-CG-911) and the Court of Special Appeals relating to zoning case #88-490-SPH.

Section 1A01.3.B.1 of the Baltimore County Zoning Regulations states: "...No such lot" (of record) "having a gross area between 2 and 100 acres may be subdivided into more than 2 lots (total)...In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way, or easements, the portions of land on either side of the road, right-of-way, or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record..."

The Baltimore County Zoning Regulations defines a lot of record as "A parcel of land with boundaries as recorded in the Land Records of Baltimore County on the same date as the effective date of the zoning regulation which governs the use, subdivision, or other condition thereof. (Bill No. 100, 1970)." The effective date for R.C.-2 zoned properties is November 25, 1979. The opinions of the Circuit Court and Court of Special Appeals echo the regulations in that they feel a property cannot be considered two separate lots of record when they are described as one parcel, even though they are separated by a road.

John G. Trueschler  
August 13, 1992  
Page 2

While the situation of your client is unusual in that not only is the property separated by a road, it is also separated by an undetermined distance,

this office can only come to one conclusion. The property as described in the Land Records of Baltimore County, Liber 1544, Folio 522 is the lot of record. The lot of record is between 2 and 100 acres and as such, has a two lot total potential. By a deed dated January 21, 1981 (Liber 6257, Folio 242), Mr. Griswold sold 59 acres which created two lots. Mr. Griswold has no subdivision rights remaining.

Should you disagree with the interpretation of this office, you have a right to petition the Zoning Commissioner for a public special hearing pursuant to Section 500.7 (B.C.Z.R.).

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact Catherine Milton at 887-3391 (FAX - 887-5708).

Very truly yours,

W. Carl Richards, Jr.  
Zoning Coordinator

By: Catherine A. Milton  
Planner I

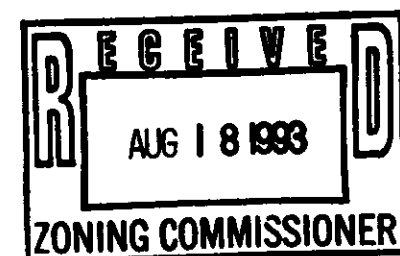
CAM:scj

JOHN G. TRUESCHLER  
Attorney at Law  
40 West Chesapeake Avenue, Suite 600  
Baltimore, Maryland 21204

Office  
(410) 821-0351  
Fax 821-8468

Home  
(410) 821-0916

August 17, 1993



Mr. Timothy M. Kotroco  
Deputy Zoning Commissioner  
for Baltimore County  
Suite 113 Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

RE: Case No.: 93-370-SPH

Dear Mr. Kotroco:

As we discussed this morning, we appreciate the extension of one month to record the deeds required by your Order on the above referenced case. The deeds will be recorded on or before September 21, 1993.

Sincerely,

John G. Trueschler

JGT:eso

(john@kotroco.ri)



State of Maryland

## LETTERS OF ADMINISTRATION

Estate No. 73126

I certify that Administration of the Estate of

A.B. GRISWOLD

was granted on the 7th day of October, 19 91

to BENJAMIN H. GRISWOLD, III and ANDRE W. BREWSTER as

Personal Representative and the appointment is in effect this 29th

day of March, 19 93

*John G. Trueschler*  
Register of Wills for  
Baltimore County

VALID ONLY WITH IMPRINTED SEAL

## DEED

THIS DEED, made this 10th day of August, 1992, by and between Benjamin H. Griswold III and Andre W. Brewster, Personal Representatives of the Estate of Alexander B. Griswold, a/k/a Alexander Brown Griswold, deceased, grantor, of Baltimore County in the State of Maryland and H. Thorne Gould and Hanna B. Gould, his wife, grantee:

WHEREAS Alexander B. Griswold, late of Baltimore County, Maryland, departed this life on October 4, 1991, being vested with the title in and to the parcel of ground hereinafter described, and leaving a Will which was admitted to probate in the Orphans' Court for Baltimore County and recorded in the Office of the Register of Wills for the County of Baltimore (Estate Docket No. 73126); and

WHEREAS, Benjamin H. Griswold III and Andre W. Brewster were duly appointed Personal Representatives of the Estate of Alexander B. Griswold pursuant to Item Five of said Will, having full power of sale over the herein described property.

WITNESSETH, that in consideration of the sum of Seven Hundred Ten Thousand Dollars (\$710,000.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the said grantor does grant and convey unto the said grantees, as tenants by the entireties, their assigns, and unto the survivor of them, his or her personal representatives and assigns, in fee simple, all that piece or parcel of land situate in the Tenth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

Beginning for the same at a point in the center of Hess Road and at the beginning of the twentieth or North 2 degrees East 67 1/2 perches line of the parcel of land described as the whole tract in a deed from S. Lurman Stewart and wife to Alexander Brown Griswold dated JUNE 5, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1544 folio 522 thence leaving said road and running thence with and binding on the said parcel of land, the two following courses and distances viz: North 4 degrees 13 minutes East 113.75 feet and North 18 degrees 22 minutes West 141.10 feet, thence leaving said outlines and running for lines of division now made, the five following courses and distances viz: South 60 degrees 48 minutes 30 seconds East 143.49 feet to a pipe, South 27 degrees 47 minutes 45 seconds East 180.97 feet to a pipe, South 79 degrees 44 minutes 45 seconds East 615.65 feet to a pipe, South 16 degrees 31 minutes 45 seconds West 269.11 feet to a pipe and South 35 degrees 20 minutes 30 seconds West 136 feet to the center of Hess Road and to intersect the thirteenth line of the aforesaid parcel of land in

RECEIVED FOR TRANSMISSION  
State Department of  
Assessments & Taxation  
for Baltimore County  
AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE-LETTER OF INTENT

02A02801597LTRY  
RA 0212:09PM08/11/92 \$11,360.00

NO  
TITLE  
SEARCH

THIS DEED, made this 21st day of January, 1981, by and between ALEXANDER B. GRISWOLD, Grantor, and YOSHIE SHINOMOTO, Grantee.

WITNESSETH, that in consideration of the sum of ONE HUNDRED SIXTEEN THOUSAND DOLLARS (\$116,000.00), the receipt of which is hereby acknowledged, the Grantor does hereby grant, convey and assign unto the Grantee, his personal representatives and assigns, in fee simple, all that parcel of ground (hereafter the "Property"), situate in the Tenth Election District of Baltimore County, in the State of Maryland, more particularly described as follows in Exhibit A attached.

TOGETHER with the buildings and improvements thereon and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the Property unto and to the use of the Grantee, his personal representatives and assigns, in fee simple, forever; SUBJECT, HOWEVER, to the following covenants, conditions and restrictions, which shall run with and bind the land hereinabove described and hereby conveyed for a period of twenty-five (25) years from the date of this deed:

1. No more than one residence shall be constructed on the Property without the prior written consent of the Grantor, his personal representatives or assigns.

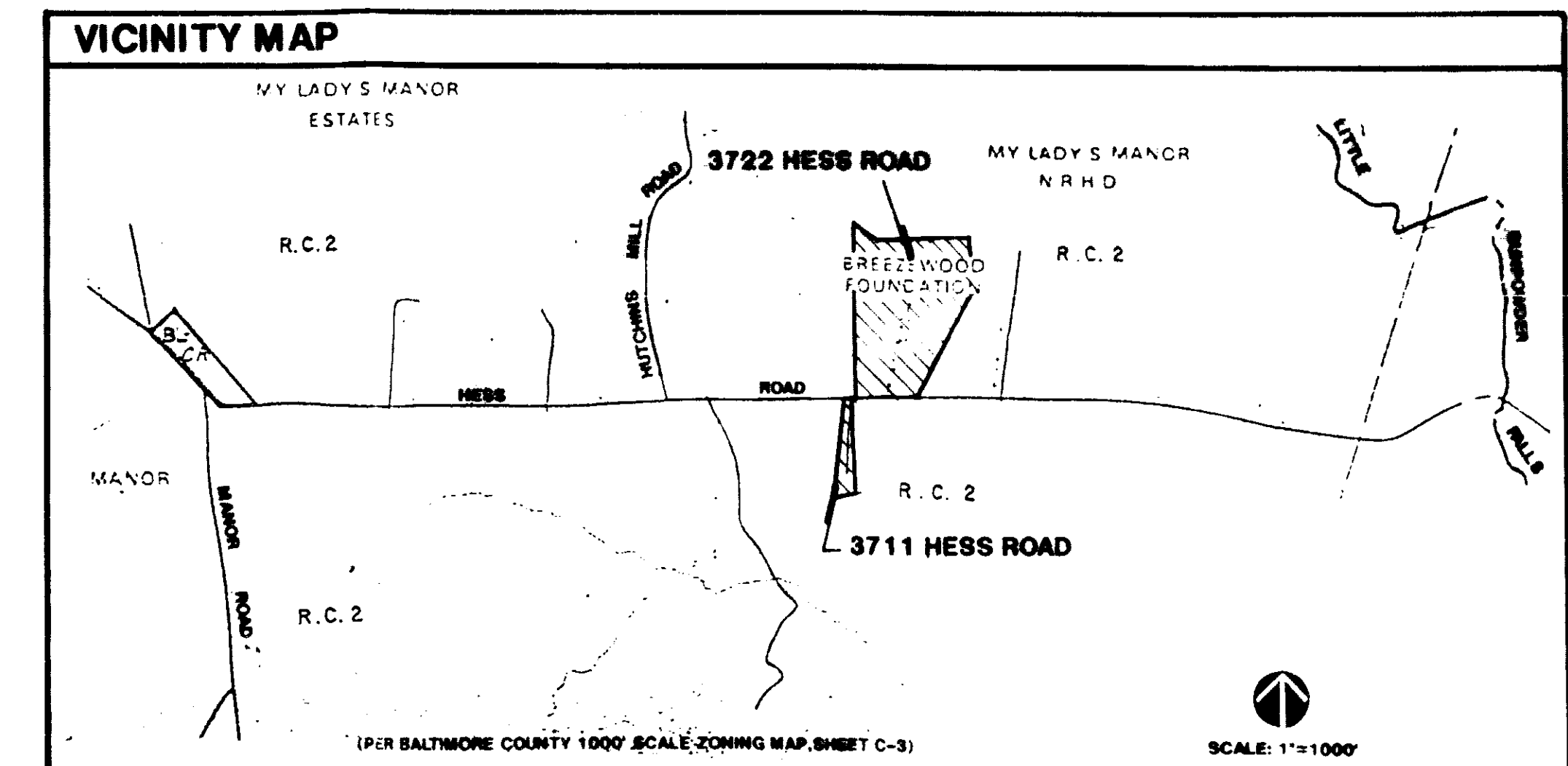
2. No buildings shall be constructed on the Property unless and until approval has been given by the Grantor, his personal representatives or assigns of the proposed building site, exterior building design and the proposed exterior materials. Such approval shall not be unreasonably withheld.

3. Any and all telephone and electric wires erected, established and installed, to, from or within any building shall be underground unless this provision shall be waived in writing



Case No. 93-370-SPH (Item 377) - **FRANK J. OWER'S**  
 PETITIONER'S EXHIBIT #3  
 2722. 11/11/12





**GENERAL NOTES APPLICABLE TO BOTH PROPERTIES**

ELECTION DISTRICT: 10th COUNCILMANIC DISTRICT: 3rd  
 ZONING: RC 2 ZONING MAP: NW 24 D  
 PROPOSED USES AND IMPROVEMENTS:  
 The use of both 3722 Hess Road and 3711 Hess Road shall remain as is. And no public or private improvements (i.e. road, utilities, etc.) are necessary or proposed.  
 EXISTING ROADS AND UTILITIES:  
 Each property has its own existing driveway to Hess Road. There are no public utilities serving either property, nor are any located within Hess Road in the proximity of the properties. Both properties have well and septic as shown.

**3722 HESS ROAD**

**OWNER:**  
 H. Thorne Gould  
 Hanna B. Gould  
 3722 Hess Road  
 Monkton, Maryland 21111

**DEED:**  
 9326247

**PROPERTY NUMBER:**  
 22-00-01810

**PROPERTY SIZE (NET & GROSS AREA):**  
 13.60 Acres

**BUILDING USE & DIMENSIONS:**

Key	Building	Stories	Height	Area/Sq.
A	Estate House	2	25'	4,500
B	Well House	1	12'	300
C	Green House	1	12'	300
D	Garage/Barn	2	25'	1,900
E	Barn	1	15'	600
F	Shed	1	8'	400
G	Carotaker's House	2	25'	800
<b>Total Building Area</b>				8,700

**OFF STREET PARKING:**  
 The garage and driveway have space sufficient to park four or more vehicles.

**FLOOR/AREA RATIO CALCULATIONS:**

Category	Value
Existing Principal Residence	4,500 sq. ft.
Existing Outbuildings	4,200 sq. ft.
Total Existing Square Foot	8,700 sq. ft.
Net & Gross Site Area: 13.60 Acres	892,416 sq. ft.
Floor/Area Ratio:	1.68

**3711 HESS ROAD**

**OWNER:**  
 The Estate of Alexander B. Griswold  
 c/o Benjamin H. Griswold III and  
 Andre Brewster, Personal Representatives  
 Piper & Marbury  
 36 South Charles Street  
 Baltimore, Maryland 21210

**DEED:**  
 1544522

**PROPERTY NUMBER:**  
 10-1007068350

**PROPERTY SIZE (NET & GROSS AREA):**  
 2.1 Acres

**BUILDINGS USE & DIMENSIONS:**  
 The existing one-story white frame house has been the home of Elwood Cromwell (caretaker of Alexander B. Griswold) since 1949. It is 18' high and has a floor area of approximately 1,200 sq. ft. Applicants propose that 3711 Hess Road continue to be used as a residence separate and distinct from 3722 Hess Road.

**OFF STREET PARKING:**  
 The driveway has sufficient space to park two or more vehicles.

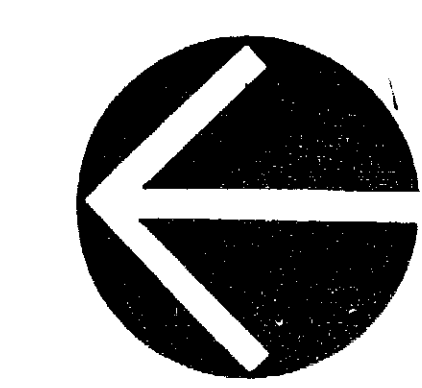
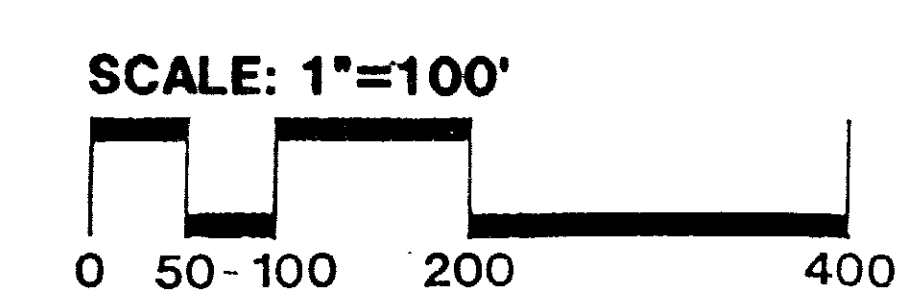
**FLOOR/AREA RATIO CALCULATIONS:**

Category	Value
Existing Principal Residence	1,200 sq. ft.
Net & Gross Site Area: 2.10 Acres	91,476 sq. ft.
Floor/Area Ratio:	1.76

**PETITIONER'S EXHIBIT 1**

**MARCH 17, 1993**

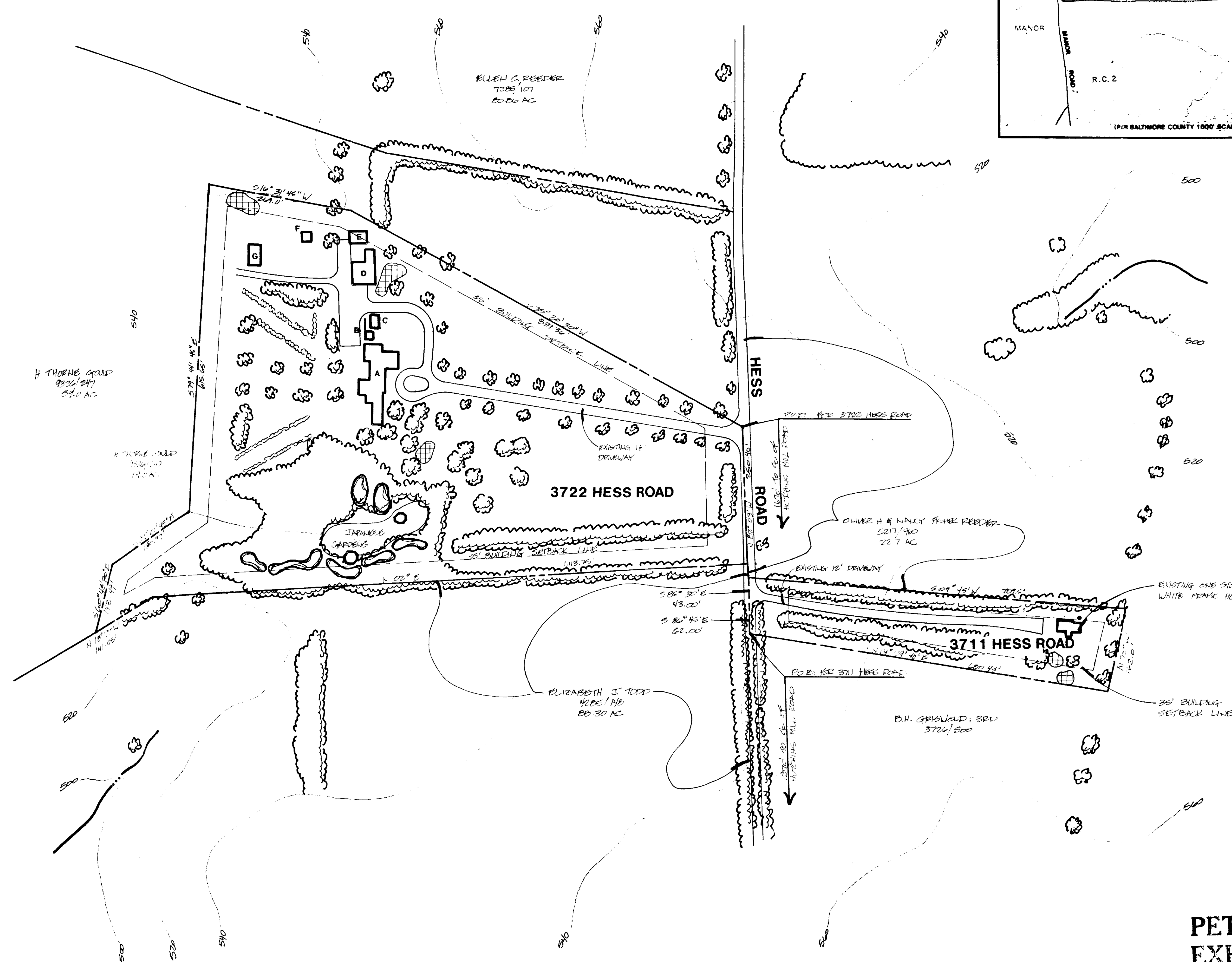
**Nehemiah Enterprises, Inc.**  
 LAND PLANNING  
 40 West Chesapeake Avenue  
 Suite 600  
 Baltimore, Maryland 21204  
 (410) 821-0351 FAX (410) 321-8458



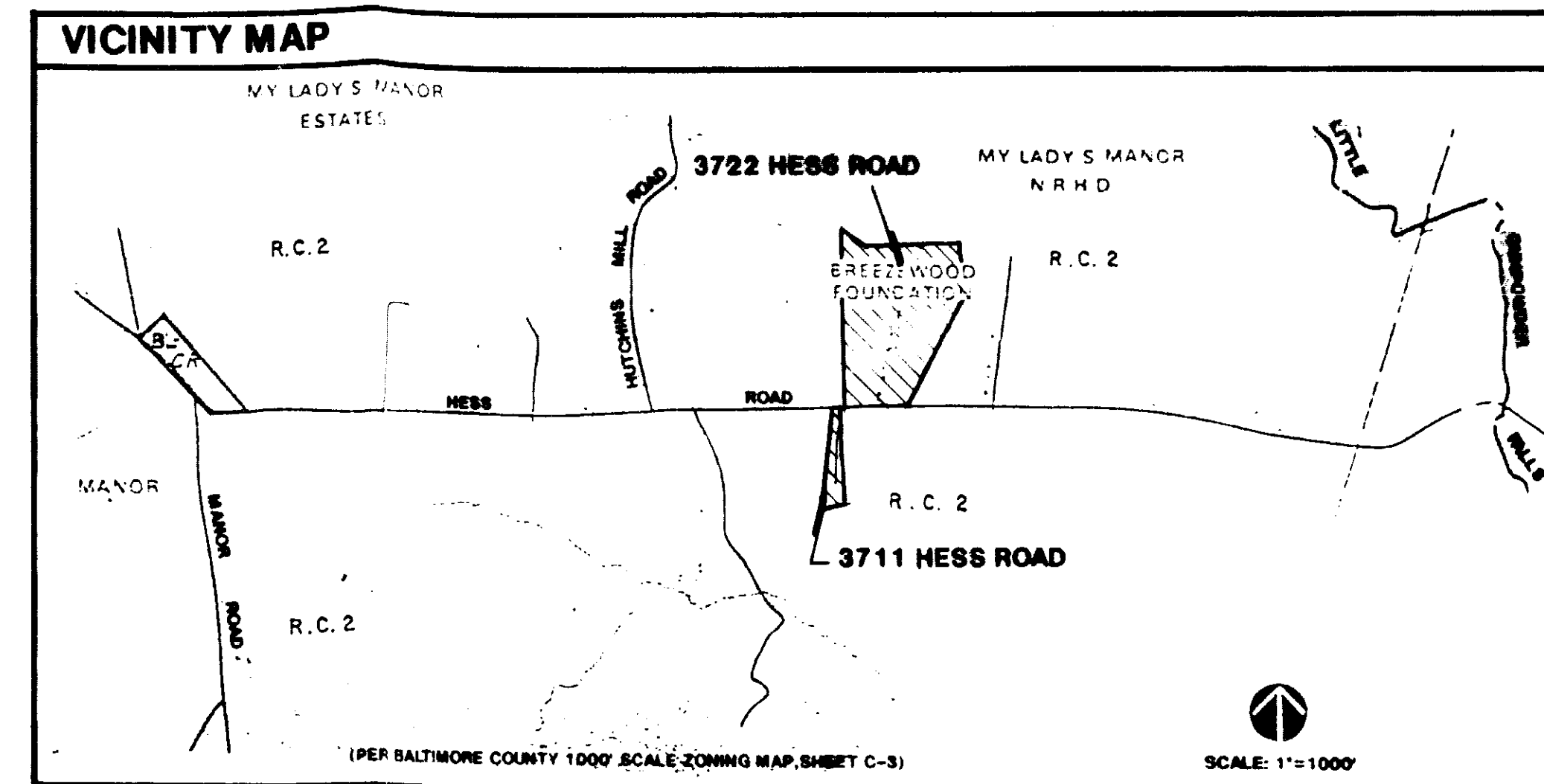
**PLAN TO ACCOMPANY SPECIAL HEARING REGARDING 3711 HESS ROAD AND 3722 HESS ROAD**

**LEGEND**

- EXISTING TREES
- EXISTING TOPOGRAPHY
- EXISTING SEPTIC FIELD
- EXISTING WELL







#### GENERAL NOTES APPLICABLE TO BOTH PROPERTIES

ELECTION DISTRICT: 10th COUNCILMANIC DISTRICT: 3rd  
 ZONING: RC 2 ZONING MAP: NW 24 D  
 PROPOSED USES AND IMPROVEMENTS:  
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#### 3722 HESS ROAD

OWNER:  
 H. Thorne Gould  
 Hanna B. Gould  
 3722 Hess Road  
 Monkton, Maryland 21111  
 DEED:  
 9326247  
 PROPERTY NUMBER:  
 22-00-012610  
 PROPERTY SIZE (NET & GROSS AREA):  
 13.50 Acres  
 BUILDING USE & DIMENSIONS:

Key	Building	Stories	Height	Area SF
A	Estate House	2	25'	4,500
B	Well House	1	12'	100
C	Green House	1	12'	300
D	Garage/Barn	2	25'	1,900
E	Barn	1	15'	600
F	Shed	1	8'	400
G	Carstaker's House	2	25'	800
Total Building Area				8,700

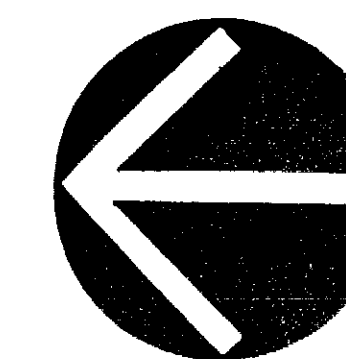
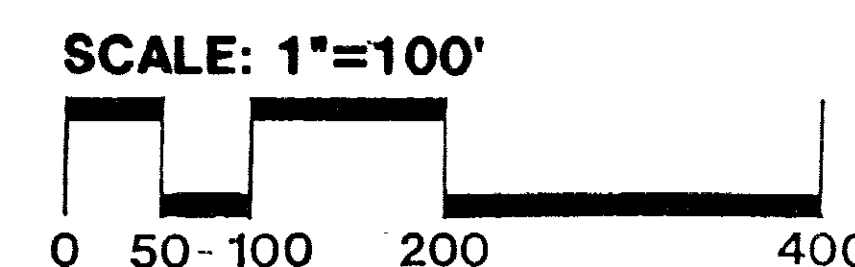
OFF STREET PARKING:  
 The garage and driveway have space sufficient to park four or more vehicles.  
 FLOOR/AREA RATIO CALCULATIONS:  
 Existing Principal Residence: 4,500 sq. ft.  
 Existing Outbuildings: 4,200 sq. ft.  
 Total Existing Square Feet: 8,700 sq. ft.  
 Net & Gross Site Area: 13.50 Acres  
 Floor/Area Ratio: 1.68

#### 3711 HESS ROAD

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 The Estate of Alexander B. Griswold  
 c/o Benjamin H. Griswold III and  
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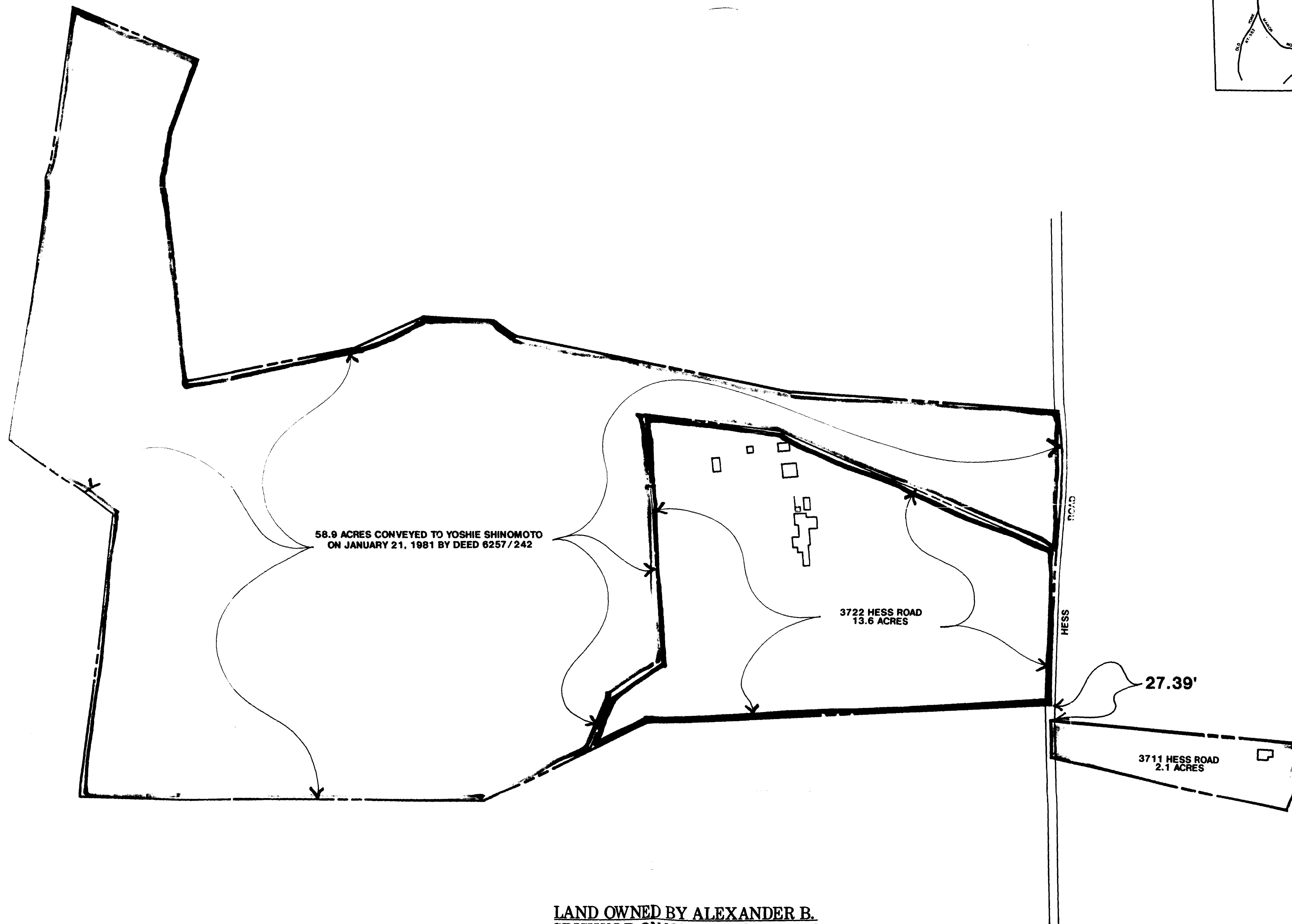
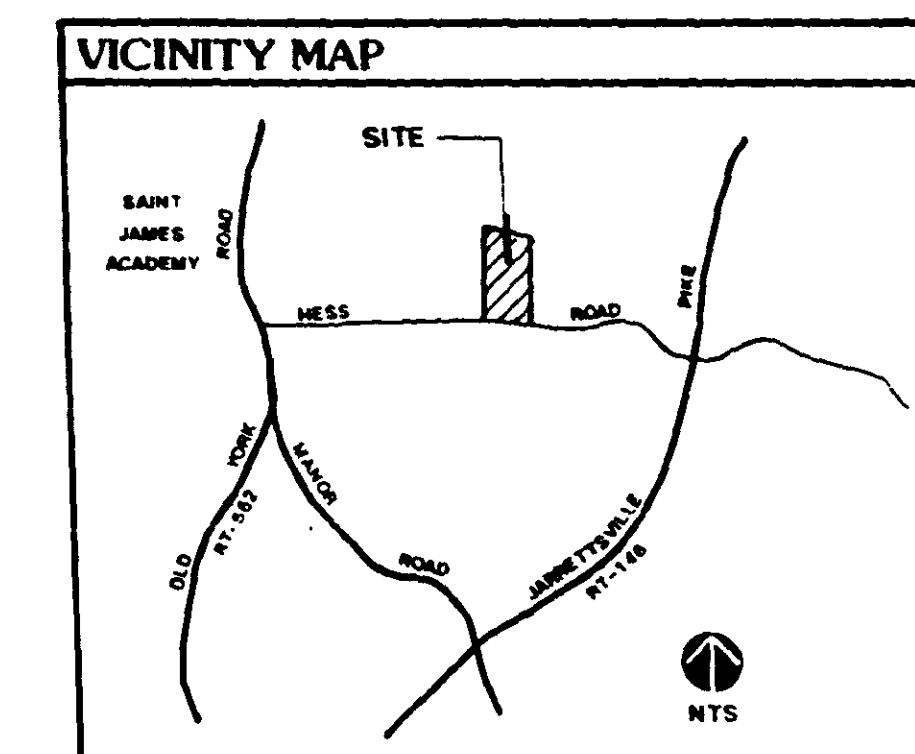
LEGEND	
	EXISTING TREES
	EXISTING TOPOGRAPHY
	EXISTING SEPTIC FIELD
	EXISTING WELL

## PLAN TO ACCOMPANY SPECIAL HEARING REGARDING 3711 HESS ROAD AND 3722 HESS ROAD



MARCH 17, 1993

**Nehemiah Enterprises, Inc.**  
 LAND PLANNING  
 40 West Chesapeake Avenue  
 Suite 600  
 Baltimore, Maryland 21204  
 (410) 821-0351 FAX (410) 321-8458



LAND OWNED BY ALEXANDER B.  
GRISWOLD ON NOVEMBER 25, 1979

PETITIONER'S  
EXHIBIT 4

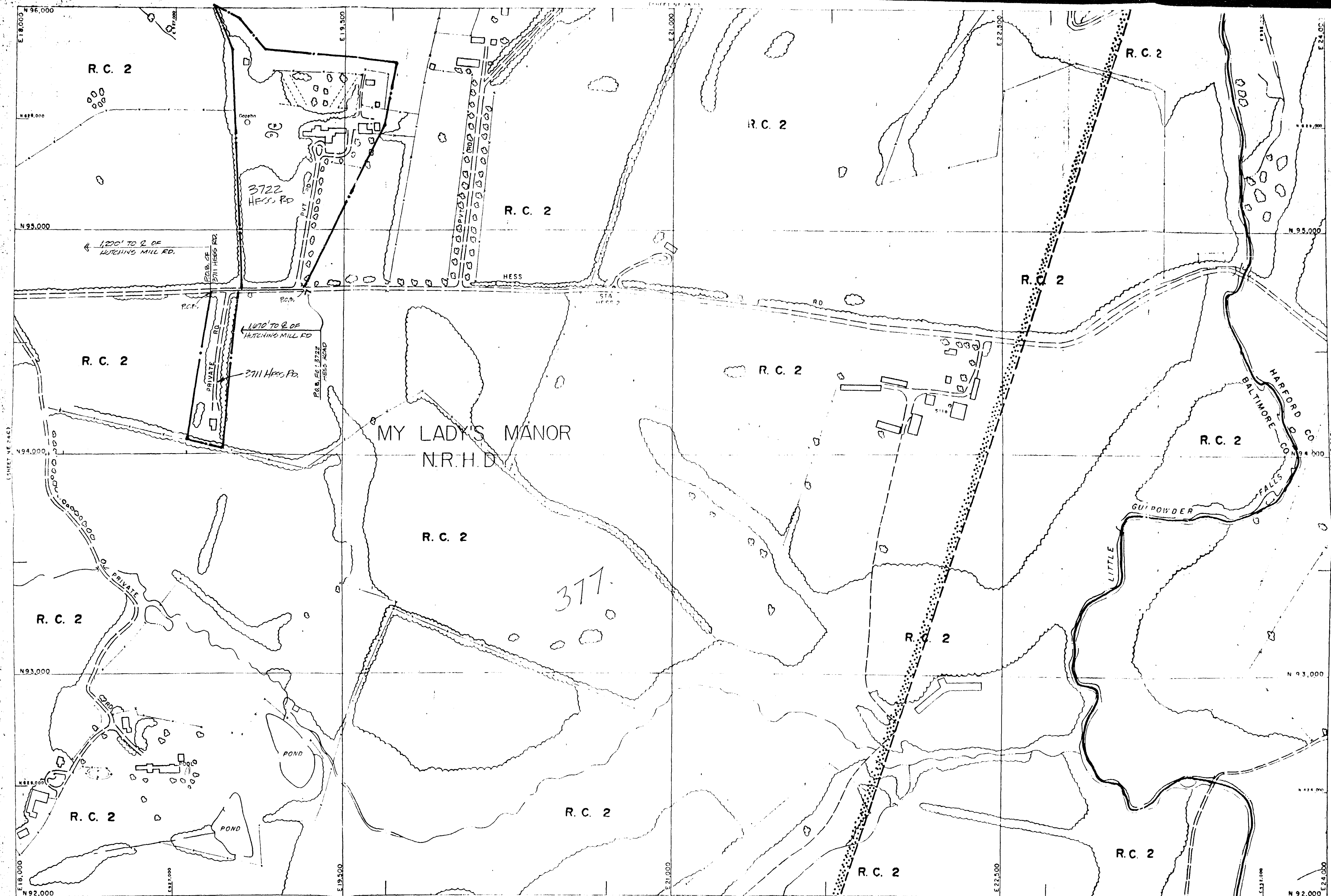
MARCH 17, 1993

Nehemiah Enterprises, Inc.  
LAND PLANNING  
40 West Chesapeake Avenue

SCALE: 1"=100'







EE-NE

~~1988 COMPREHENSIVE ZONING MAP~~  
 Adopted by the Baltimore County Council  
 Oct. 13, 1988  
 Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88  
*Del. T. J. [Signature]*  
 Chairman, County Council

**BALTIMORE COUNTY**  
**OFFICE OF PLANNING AND ZONING**  
**OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP  
 Adopted by the Baltimore County Council  
 Oct. 15, 1992  
 Ord. Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92  
*William A. Howard IV*  
 Chairman, County Council

SCALE 1" = 200'	LOCATION EAST OF HESS	SHEET N. E. 24-D
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

200 SCALE ZONING MAP TO ACCOMPANY PETITION FOR SPECIAL HEARING  
 REGARDING 3711 HESS ROAD AND 3722 HESS ROAD, MONKTON MARYLAND  
**93-370-SPH**